



Ref: FOIA Reference 2019/20-179

**Royal Stoke University Hospital**  
**Quality, Safety and Compliance Department**  
Newcastle Road  
Stoke-on-Trent  
Staffordshire  
ST4 6QG

Date: 20<sup>th</sup> July 2019

Email [foi@uhn.nhs.uk](mailto:foi@uhn.nhs.uk)

Dear

I am writing in response to your email dated 30<sup>th</sup> June 2019 (received into our office 1<sup>st</sup> July) requesting information under the Freedom of Information Act (2000) regarding audio recordings

As of 1<sup>st</sup> November 2014 University Hospitals of North Midlands NHS Trust (UHNM) manages two hospital sites – Royal Stoke University Hospital, and County Hospital (Stafford). Therefore the response below is for the two sites combined from that date where appropriate.

**Q1 Would you please be able to provide the following information regarding appointments and / or consultations that are held in private settings (i.e. not settings where there is the potential for a breach of other patient's confidentiality (e.g. group therapy sessions or bays in accident and emergency departments)):**

**1) Does your Trust allow patients and / or their nominated representatives to make audio recordings of their appointments and / or consultations with a member of staff when they ask the staff member if it is acceptable to do so?**

A1 We can confirm that University Hospitals of North Midlands (UHNM) does not have a specific policy on services users recording consultations/appointments, although we do expect services users to comply with the law regarding recording. Please find attached a copy of the Trust's policy and procedure for Personal Information Security and Acceptable Use, which contains some information on covert recording. Please note that this is an employment policy for the staff and not the public. I have also enclosed the Trust's Accessible Information Policy and the NHS protect guidance on patients recording NHS staff in health and social care settings which provides clear guidance on this subject for our staff.

UHNM respect the right of privacy for all patients, carers, visitors and staff. We therefore actively discourage the use of recording media and photography in clinical areas without the consent of the person in charge and their subjects. This does not prevent any person from making notes of a clinical discussion whether it is on paper or by use of a recording device. Nevertheless we expect that, except where there are serious grounds not to do so, all parties subject to recording will be aware of the fact

**Q2 Could you please provide the name(s) of the policy / policies and a copy of the specific section of the policy / policies that is used to inform staff of the policy / policies when a patient and / or their nominated representatives requests to audio record their appointment / consultation?**

A2 As answer 1

**Q3 Does your Trust allow patients and / or their nominated representatives to make video recordings of their appointments and / or consultations with a member of staff when they ask the staff member if it is acceptable to do so?**

A3 As answer 1

**Q4 Could you please provide the name(s) of the policy / policies and a copy of the specific section of the policy / policies that is used to inform staff of the policy / policies when a patient and / or their nominated representatives requests to video record their appointment / consultation?**

A4 As answer 1

**Q5 Does your Trust allow patients and / or their nominated representatives to make audio recordings of their appointments and / or consultations with a member of staff without informing the member of staff about it (i.e. a covert recording)?**

A5 As answer 1

**Q6 Could you please provide the name(s) of the policy / policies and a copy of the specific section of the policy / policies that is used to inform staff of the policy / policies if they discover a patient and / or their nominated representatives has audio recorded their appointment / consultation covertly?**

A6 As answer 1

**Q7 Does your Trust allow patients and / or their nominated representatives to make video recordings of their appointments and / or consultations with a member of staff without informing the member of staff about it (i.e. a covert recording)?**

A7 As answer 1

**Q8 Could you please provide the name(s) of the policy / policies and a copy of the specific section of the policy / policies that is used to inform staff of the policy / policies if they discover a patient and / or their nominated representatives has video recorded their appointment / consultation covertly?**

A8 As answer 1

**Q9 Should your Trust's policies not allow patients and / or their nominated to make audio and / or video recordings (having informed the member of staff and / or covertly) of their appointments and / or consultations could you please provide a copy of your Trust's policies regarding what procedures should be followed by both members of the Trust's staff and the patient and / or their nominated representatives where there may be a specific need for the patient and / or their nominated representatives to audio and / or video record their appointments and / or consultations (e.g. medical issues such as dementia, the patient having nobody available to act as an advocate for them or any other need identified by the patient and / or their nominated representatives)?**

A9 As answer 1

**Q10 Could you please provide a copy of the impact assessment undertaken of the policy / policies cited in response to question 9?**

A10 As answer 1

**Q11 Should your Trust's policies not allow patients and / or their nominated representatives to make audio and / or video recordings (having informed the member of staff and / or covertly) of their appointments and / or consultations could you please provide a copy of the information that staff can give to the patient and / or their nominated representatives explaining why it is not allowed?**

A11 As answer 1

**Q12 Should your Trust's policies state that it is for the staff member to decide whether they are prepared to allow appointments and / or consultations to be audio and / or video recorded by the patient and / or their nominated representatives could you please provide the name(s) of the policy / policies and a copy of the specific section of the policy / policies that states what procedures should be followed by both members of the Trust's staff and the patient and / or their nominated representatives when the member of staff states they are not prepared to be audio and / or video recorded but the patient and / or their nominated representatives are insistent on doing so?**

A12 As answer 1

**Q13 Should your Trust have no policy regarding the situations as detailed in questions 1, 3, 5, 7, 9 or 12 could you please detail what procedures should be followed by both members of the Trust's staff and the patient and / or their nominated representatives should any of the situations detailed occur?**

A13 As answer 1

\*Please note that any individuals identified do not give consent for their personal data to be processed for the purposes of direct marketing.

***UHNM NHS Trust is a public sector body and governed by EU law. FOI requestors should note that any new Trust requirements over the EU threshold will be subject to these regulations and will be advertised for open competition accordingly.***

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An anonymised copy of this request can be found on the Trust's disclosure log, please note that all requests can be found at the following link: <http://www.uhnm.nhs.uk/aboutus/Statutory-Policies-and-Procedures/Pages/Freedom-of-Information-Disclosure-Log.aspx>

This letter confirms the completion of this request. A log of this request and a copy of this letter will be held by the Trust.

If you have any queries related to the response provided please in the first instance contact my office.

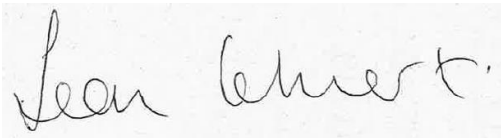
Should you have a complaint about the response or the handling of your request, please also contact my office to request a review of this. If having exhausted the Trust's FOIA complaints process you are still not satisfied, you are entitled to approach the Information Commissioner's Office (ICO) and request an assessment of the manner in which the Trust has managed your request.

The Information Commissioner may be contacted at:

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF or via [www.ico.org.uk](http://www.ico.org.uk).

If following review of the responses I can be of any further assistance please contact my secretary on 01782 676474.

Yours,



Jean Lehnert  
**Information Governance Manager**